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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Mueller *et al.*

Group Art Unit: 1617

Serial No.: 09/891,715

Examiner: Russell S. Travers

Filed: June 26, 2001

Attorney Docket No.: 10177-142-999  
(Formerly No. 5756-0013.30)

For: METHOD AND APPARATUS FOR  
TREATING ISCHEMIC TISSUE

Date: November 27, 2002

**PRELIMINARY AMENDMENT UNDER 37 C.F.R § 1.115**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Entry of the following Preliminary Amendment and remarks into the above-identified application are respectfully requested.

**In the Specification:**

A marked up version of the amended paragraphs is attached hereto as Exhibit A, wherein matter that has been deleted from the paragraphs is indicated within brackets and matter that has been added to the paragraphs is indicated by underlining.

Please amend the paragraph beginning on page 6, line 1, to read as follows:

*a!* In yet other embodiments, catheter type embodiments of the invention are able to maintain the distal end's position adjacent a target tissue during use by further including an anchor catheter. The anchor catheter is slidably situated within a third catheter having at least two lumens. The first lumen is occupied by a first catheter having an injury, treatment, and optionally marking effectors as described above, and a second lumen occupied by a second catheter having a distal end having an anchor adjacent to the second catheter distal end adapted to anchoring to an adjacent target tissue. Either the first or second catheter, or both,